



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT AGENCY
UNITED STATES ARMY GARRISON SCHWEINFURT
CMR 457
APO AE 09033

REPLY TO
ATTENTION OF

IMEU-SWF-ESP

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Memorandum #5-9, Processing and Releasing Offenders

1. Purpose: To establish procedures for processing and releasing alleged Soldier offenders from the Schweinfurt Provost Marshal Office (PMO) to their respective units.
2. General: The Director of Emergency Services, Unit Commanders, Desk Sergeants, and all other personnel responsible for processing and releasing alleged offenders will adhere to this policy.
3. Applicability: This policy applies to all Soldiers who work, reside in or visit the Schweinfurt Military Community.
4. Procedures: The PMO will process offenders per AE Reg. 190-47 and the USAG Schweinfurt, PMO SOP.
 - a. The Desk Sergeant or other individual(s) designated by the Director of Emergency Services will decide whether or not to place an individual in a Detention Cell (D-Cell).
 - b. On determination to place an individual in the Detention Cell, the Desk Sergeant will immediately contact the Director of Emergency Services and Operations Sergeant.
 - c. The Desk Sergeant must exercise considerable care prior to directing the detention of personnel. The Desk Sergeant will refer incapacitated personnel under the influence of alcohol or drugs to medical authorities and will not detain them without a medical examination. Personnel who can go to the detention cell are:

- (1) Hostile and belligerent personnel, whether intoxicated or sober who Military Police cannot control in any other way.
- (2) AWOLs and deserters who have not surrendered themselves.
- (3) Suspected or known felons.
- (4) Individuals who require protective custody.
- (5) Individuals detained for pretrial confinement, accompanied by memorandum of authorization from the servicing SJA.

This Policy Memorandum supersedes Policy Memorandum #5-9, dated 21 Oct 04, and remains in effect until superseded or rescinded.

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d. We will not use Detention Facilities to maintain custody of apprehended military personnel for periods exceeding 24 hours, except for pretrial confinement and unless there are exceptional circumstances. The Director of Emergency Services must approve detention under exceptional circumstances. The Desk Sergeant will annotate this in the MP Blotter. Regardless of the circumstances this detention will not exceed 72 hours. Requests for confinement for over 72 hours must be approved, in writing, by the USAREUR Provost Marshal.

e. In the event the Desk Sergeant places an individual in the PMO D-Cell, units will adhere to the PMO D-Cell SOP. The SOP includes the requirement for two unit guards stationed outside the D-cell and for the unit to provide rations, linen, and personal hygiene products. The Desk Sergeant will not accept a Soldier for confinement if the unit does not bring the above items at the time they bring the Soldier. For confinement for 72 hours the unit must ensure that the Soldier receives two hot meals a day and only one MRE. In addition, the unit is responsible for sanitizing the D-cell after use.

f. After processing an alleged offender, the Desk Sergeant will check with other involved investigative agencies to see if they have further need of the alleged offender.

(1) If there is no further need for the alleged offender, the Desk Sergeant will notify the offender's unit and arrange for unit personnel to pick up the offender. This person must be a SFC (SSG Platoon Sergeant) or above, and senior in rank or position to the offender, or the Unit Commander.

(2) The MP Desk Sergeant will contact the respective unit SDNCO and inform them that there is an individual in their unit requiring release to his/her unit, and the rank of the individual authorized to sign for the detained person.

(3) The PMO will only release alleged offenders involved in alcohol related offenses to the Unit Commander or First Sergeant. In the event the immediate chain of command is not available, the Desk Sergeant will inform me. I will then contact the Soldiers Battalion Commander and, if necessary, the Brigade Commander.

5. Responsibilities: Units are responsible for the welfare and actions of their Soldiers. The Schweinfurt PMO does not have the resources to detain personnel for extended periods of time, and also fulfill their responsibility to provide law enforcement support to maintaining a safe community.

a. The unit will send the appropriate leader to the MP Station to receive the detained person within three hours. If the unit does not

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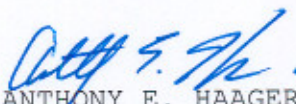
respond within this time, the Desk Sergeant will notify the next higher level commander.

b. When releasing the alleged offender, the Desk Sergeant will prepare a Receipt of Prisoner or Detained Person (DD Form 2708) and provide it to the unit representative picking up the Soldier.

(1) The Desk Sergeant will also provide the unit representative with a detailed oral summary of the events leading to the Soldier's detention, a copy of DD Form 2708, and a copy of the Intoxilizer 5000 card when applicable. The unit representative will be responsible for briefing their chain of command.

6. The proponent for this policy is the Director of Emergency Services at 354-6766.

"Pride, Professionalism, Teamwork"


ANTHONY E. HAAGER
LTC, QM
Commanding

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